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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/767,676	01/29/2004	Gerhard Benning	2001P15983WOUS	5989

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SIEMENS CORPORATION
INTELLECTUAL PROPERTY DEPT.
170 WOOD AVENUE SOUTH
ISELIN, NJ 08830

EXAMINER

BRANDT, CHRISTOPHER M

ART UNIT	PAPER NUMBER
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2617

MAIL DATE	DELIVERY MODE
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08/15/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/767,676

Applicant(s)

BENNING ET AL.

Examiner

Christopher M. Brandt

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This Action is in response to applicant's amendment filed on July 26, 2007. **Claims 1-17** are still pending in the present application.

Response to Arguments

Applicant's arguments, filed July 26, 2007, with respect to claims 1-17 have been fully considered and are persuasive. The rejection has been withdrawn.

Specification

The specification is objected for not claiming priority to applicant's foreign patent applications in the first paragraph of the specification. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 6, 14, and 15 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. **Claims 6, 14, and 15** are claiming the IEEE 802.15.1 standard, which is not disclosed in applicant's specification.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-8, 12-17 are rejected under 35 USC 103(a) as being unpatentable over **Lindgren et al. (US Patent 6,411,632 B2, hereinafter Lindgren)** in view of **Moore, Jr. et al. (US Patent 7,035,270 B2, hereinafter Moore)**.

Consider **claim 1**. Lindgren discloses an arrangement for a wireless connection of terminal devices to a communication system (abstract), comprising:

a data packet network for the transmission of data packets using network addresses valid within the network (column 4 lines 10-25, 38-41, read as TCP/IP network with the network hub, which includes an IP address for communications using the TCP/IP protocol);

at least one transition device coupled to the data packet network, to which at least one mobile device that is serviced by the transition device is coupled, the transition device having a coupling table with terminal device addresses of terminal devices located within the radio range of at least one mobile device (column 4 lines 42-45, read as the network hub further includes a translation table for storing the mobile identification numbers (MIN) of mobile stations being serviced by a wireless office interconnected with the network hub);

a server coupled to the data packet network for controlling connections to the terminal devices, the server having an allocation table in which a network address of the particular transition device is allocated in each case to a terminal device address of a terminal, to which transition device a mobile device in whose radio range this terminal device is located, is coupled (column 4 lines 38-41, 47-52, read as the network, hub includes an IP address for communications using the TCP/IP protocol and a signal point code (address) for communications with respect to the SS7 protocol. There is also a translation table that enables the location of mobile stations according to the IP address of its serving wireless office and a network table addressing table, includes a listing of all nodes and signaling point codes (addresses) within the public access network); and

a packet-based alignment protocol for the dynamic alignment of the allocation table with the coupling table (column 4 lines 34-38, 45-47, read as the conversion between transportation of the IS-41 messages by the SS7 protocol or the TCP/IP protocol is performed by processing means within the network hub and enables interconnection of the public network to the wireless offices. It is also disclosed that associated with the stored MIN are the IP address of the wireless office in which a mobile station is registered).

Lindgren substantially discloses the claimed invention except he fails to disclose a short-range radio module (Lindgren discloses a mobile station that is coupled to a wireless office, which in turn is coupled to network hub).

However, Moore discloses a short-range radio module (column 8 lines 30-59, read as the home networking gateway can use this SDP protocol to discover devices with telephony services capabilities).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the teachings of Moore into the invention of Lindgren in order to more easily coordinate a home or office network (column 8 lines 30-59).

Consider **claim 2 and as applied to claim 1**. Lindgren and Moore disclose wherein the data packet network is realized by a network based on an Internet protocol (column 2 lines 15-19).

Consider **claim 3 and as applied to claim 1**. Lindgren and Moore disclose wherein the transition device comprises a translator for translation between a network protocol used in the data packet network and a protocol specific to a radio module (Lindgren; column 5 lines 45-51).

Consider **claim 4 and as applied to claim 3**. Lindgren and Moore disclose wherein the translator comprises a detection device for detecting, by means of the network protocol used, which terminal device-specific application a connection to a terminal device is allocated to, in order to be able to perform an application-specific protocol conversion accordingly (column 4 lines 42-56).

Consider **claim 5 and as applied to claim 3**. Lindgren and Moore disclose wherein the protocol specific to a radio module having a specific voice interface and a specific data interface (Lindgren; column 3 lines 22-34).

Consider **claim 6 and as applied to claim 1**. Lindgren and Moore disclose wherein a module based on an IEEE 802.15.1 is used as a short-range radio module (Moore; column 8 lines 30-59).

Consider **claim 7 and as applied to claim 1**. Lindgren and Moore disclose wherein a locating device uses the allocation table for determining a momentary location of a particular terminal (Lindgren; column 4 lines 42-56).

Consider **claim 8 and as applied to claim 1**. Lindgren and Moore disclose wherein a gateway device is coupled to the data packet network for coupling the data packet to a forwarding communication network (Lindgren; column 2 lines 20-30).

Consider **claim 12 and as applied to claim 2**. Lindgren and Moore disclose the transition device comprises a translator for translation between a network protocol used in the data packet network and a protocol specific to a radio module (Lindgren; column 4 lines 42-56).

Consider **claim 13 and as applied to claim 4**. Lindgren and Moore disclose wherein the protocol specific to a radio module having a specific voice interface and a specific data interface (Lindgren; column 3 lines 22-34).

Consider **claim 14 and as applied to claim 2**. Lindgren and Moore disclose a module based on an IEEE 802.15.1 standard is used as a short-range radio module (Moore; column 8 lines 30-59).

Consider **claim 15 and as applied to claim 3**. Lindgren and Moore disclose a module based on an IEEE 802.15.1 standard is used as a short-range radio module (Moore; column 8 lines 30-59).

Consider **claim 16 and as applied to claim 2**. Lindgren and Moore disclose a locating device uses the allocation table for determining a momentary location of a particular terminal (Lindgren; column 4 lines 42-56).

Consider **claim 17 and as applied to claim 2**. Lindgren and Moore disclose a gateway device is coupled to the data packet network for coupling the data packet network to a forwarding communication network (Lindgren; column 2 lines 20-30).

Claim 9 is rejected under 35 USC 103(a) as being unpatentable over **Lindgren et al. (US Patent 6,411,632 B2)** in view of **Moore, Jr. et al. (US Patent 7,035,270 B2)** and further in view of **Rautiola et al. (US Patent 6,853,851 B1, hereinafter Rautiola)**.

Consider **claim 9 and as applied to claim 1**. Lindgren and Moore disclose the claimed invention but fail to disclose a headset as a terminal device for voice connection.

However, Rautiola discloses a headset as a terminal device for voice connection (column 12 line 61 – column 13 line 13).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the teachings of Rautiola into the invention of Lindgren and Moore in order to allow a user to use a lightweight terminal (column 3 lines 51-59).

Claims 10 and 11 are rejected under 35 USC 103(a) as being unpatentable over **Lindgren et al. (US Patent 6,411,632 B2)** in view of **Moore, Jr. et al. (US Patent 7,035,270 B2)** and further in view of **Bishop et al. (US Patent 6,850,512 B1, hereinafter Bishop)**.

Consider **claim 10 and as applied to claim 1**. Lindgren and Moore disclose the claimed invention but fail to disclose a PDA (Personal Digital Assistant) as a terminal device for data connections.

However, Bishop discloses a PDA (Personal Digital Assistant) as a terminal device for data connections (column 4 lines 10-26).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the teachings of Bishop into the invention of Lindgren and Moore in order to give the user the flexibility of a portable or laptop computer (column 4 lines 10-26).

Consider **claim 11 and as applied to claim 1**. Lindgren and Moore disclose the claimed invention but fail to disclose a PDA (Personal Digital Assistant) as a terminal device for entering destination addresses for outgoing connections and for initiating those connections.

However, Bishop discloses a PDA (Personal Digital Assistant) as a terminal device for entering destination addresses for outgoing connections and for initiating those connections (column 4 lines 10-26).

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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the teachings of Bishop into the invention of Lindgren and Moore in order to be able to convert to a format suitable for transmission so that information can be transmitted (column 4 lines 10-26)

Conclusion

Any response to this Office Action should be **faxed to (571) 273-8300 or mailed to:**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Hand-delivered responses should be brought to

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher M. Brandt whose telephone number is (571) 270-1098. The examiner can normally be reached on 7:30a.m. to 5p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nick Corsaro can be reached on (571) 272-7876. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.



Christopher M. Brandt

C.M.B./cmb

August 9, 2007



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SUPERVISORY PATENT EXAMINER
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